



GAIL FARBER, Director

## COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

February 12, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

30 February 12, 2013

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

### **ADOPT AND ADVERTISE STORM DRAIN, ROADWAY, AND PARKWAY IMPROVEMENTS AVOCADO HEIGHTS MULTI-USE TRAIL UNINCORPORATED COMMUNITY OF AVOCADO HEIGHTS (SUPERVISORIAL DISTRICT 1) (3 VOTES)**

#### **SUBJECT**

This action is to approve the project for storm drain, roadway, and parkway improvements for Avocado Heights Multiuse Trail in the unincorporated community of Avocado Heights; adopt the plans and specifications; call for bids; authorize the Director of Public Works or her designee to award and execute a consultant services agreement for the preparation of a baseline construction schedule and a storm water pollution prevention plan for a fee not to exceed \$10,000; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

#### **IT IS RECOMMENDED THAT THE BOARD:**

1. Approve the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for storm drain, roadway, and parkway improvements, in the unincorporated community of Avocado Heights, at an estimated construction contract cost between \$5,000,000 and \$5,750,000.
2. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on March 12, 2013, in accordance with the Instruction Sheet for Publishing Legal Advertisement.
3. Authorize the Director of Public Works or her designee to award and execute a consultant

services agreement with the apparent responsible contractor with the lowest responsible bid to prepare a baseline construction schedule and a storm water pollution prevention plan for a fee not to exceed \$10,000, funded by existing project funds.

4. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to obtain approval of the project from the Board, adopt the plans and specifications, advertise for bids, authorize the Director of Public Works (Director) or her designee to execute a consultant services agreement to prepare a baseline construction schedule and a storm water pollution prevention plan for a fee not to exceed \$10,000 funded by existing project funds, and delegate certain responsibilities to the Director or her designee to carry out this project.

The proposed consultant services agreement to prepare a baseline construction schedule and storm water pollution prevention plan that conform to the County of Los Angeles' (County) specifications is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce these deliverables. Bid specifications provide that if the contractor fails to complete acceptable deliverables, the Department of Public Works (Public Works) may return to the Board to recommend that the contractor be determined nonresponsible and recommend awarding the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables which conform to the County's specifications.

The limits of the project are as follows:

- 3rd Avenue from Lomitas Avenue to Proctor Avenue
- 4th Avenue from Larkport Avenue to Proctor Avenue
- 5th Avenue from Trailside Drive to Proctor Avenue
- Lomitas Avenue from 3rd Avenue to 5th Avenue
- Don Julian Road from 3rd Avenue to 5th Avenue
- Proctor Avenue from 3rd Avenue to 5th Avenue

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help meet these goals by providing improved roadway and drainage facilities, which will benefit the community as well as enhancing recreational opportunities that benefit County residents.

### **FISCAL IMPACT/FINANCING**

The estimated construction contract cost is in the range of \$5,000,000 to \$5,750,000. The total project cost is estimated to be \$7,633,000. In addition to the construction contract cost, the total project cost includes the costs of environmental clearance, plans and specifications, consultant services, survey, right-of-way and utility clearance, materials testing, inspection, contract administration, change order contingency, and other County services.

Financing for the construction of this project is provided for in the First Supervisorial District's Road Construction Program, including \$1,757,000 in the Fiscal Year 2012-13 Measure R Local Return Fund Budget and \$5,876,000 in the Road Fund Budget. The Road Fund will be reimbursed with \$4,000,000 from the Fiscal Year 2012-13 Public Works General Fund Budget. The source of the General Fund revenue includes \$200,000 from the Avocado Heights Benefit Trust, \$800,000 from the Puente Hills Landfill Community Benefit and Environmental Education Trust Fund, and \$3,000,000 from First Supervisorial District general funds.

Portions of current right of way will be vacated to the Los Angeles County Department of Parks and Recreation (Parks and Recreation) and reserved for nonvehicular multi use trail purposes as indicated on the project plans.

The following roads will be affected:

- 3rd Avenue between Proctor Avenue and Lomitas Avenue
- 4th Avenue between Proctor Avenue and Lomitas Avenue
- 5th Avenue between Proctor Avenue and Lomitas Avenue
- 5th Avenue from Trailside Drive to County/City of Industry boundary
- Proctor Avenue between 3rd Avenue and 5th Avenue
- Don Julian Road between 3rd Avenue and 5th Avenue
- Lomitas Avenue between 3rd Avenue and 5th Avenue

Upon completion of the project, Parks and Recreation will maintain the proposed multiuse trail and associated low impact development (LID) stormwater runoff facilities within the areas to be vacated to Parks and Recreation and existing Los Angeles County Flood Control District rights of way. The estimated maintenance costs for the proposed multiuse trail and LID improvements include a one-time cost of \$34,000 for equipment to support the maintenance program. Ongoing annual maintenance costs are estimated to be \$130,000, which includes a full-time maintenance worker. A new facility budget proposal will be submitted for Fiscal Year 2013-14 to provide funding for a sufficient appropriation in Parks and Recreation's annual support budget to address the one-time and ongoing maintenance costs.

Following substantial completion of the project, all claims associated with the project warranty shall be managed, administered and coordinated by the Department of Public Works on behalf of the Los Angeles County Department of Parks and Recreation for the duration of the warranty period.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

This project, to contract for storm drain, roadway, and parkway improvements, is part of the Public Works' ongoing highway construction and maintenance program. This project will be advertised in accordance with Section 20392 of the State Public Contract Code.

This project is to be completed in 120 working days. It is estimated the work will start in September 2013 and be completed in March 2014.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

## **ENVIRONMENTAL DOCUMENTATION**

On November 16, 2010, Agenda Item No. 17, the Board approved the environmental document for this project. The Negative Declaration found that the project will not have a significant effect on the environment in accordance with the provisions of the California Environmental Quality Act.

## **CONTRACTING PROCESS**

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Board will be made upon review of the bids. The contract will be awarded to a responsible contractor who submits the lowest responsive bid meeting the criteria established by the Board and

the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

When the project is completed, it will have a positive impact by providing improved roadway and drainage facilities and multi-use recreational trail, which will benefit the community.

**CONCLUSION**

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTS:lg

c: Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office  
Internal Services Department (Countywide  
Contract Compliance)